

as deep as 20 feet, covering an area of about 5.5 acres. Shallow, unconfined groundwater was found at a depth of 6 to 10 feet. In March, 1981, a responsible party (RP) installed six ground-water monitoring wells and collected soil samples from six borings through the sludge pit and surrounding areas.

On October 29, 1982, EPA, Utah State Department of Health, Salt Lake City Corporation, Salt Lake City/County Health Department and Amoco Oil Company entered into an Intergovernmental Corporate Cooperation Agreement (ICCA) to conduct remedial actions at the site. All remedial actions at the site were conducted under the ICAA and there is not a Record of Decision (ROD) associated with this site.

The remedy consisted of installing additional monitoring wells, constructing a bentonite slurry wall around the pit and capping the pit with a sand layer, fabric membrane, clay layer and a vegetated soil cover. A traffic barrier and signs identifying the containment structure were installed. All required remedial actions were completed by October, 1984. Provisions in the ICCA required Salt Lake City, the property owner, to maintain, supervise and care for the site. The agreement was recorded in the records of Salt Lake County.

The ICCA included a 30 year groundwater monitoring plan to ensure the continued protection of groundwater and to monitor for possible releases of contaminants from the sludge pit. The monitoring plan provides for annual monitoring for indicator parameters as specified in the plan. Due to problems with the original monitoring plan, a new monitoring plan was developed and implemented in 1992. This plan requires the installation of additional monitoring wells and more detailed groundwater sampling and analysis.

Though not required in the ICCA, Amoco Oil Company has committed to conduct the long term monitoring of the site. Amoco and the State of Utah will formalize Amoco's commitment in an agreement prior to the final deletion.

A community relations plan was developed for the site. The ICCA required the parties to hold a public meeting for the purpose of informing the public and Rosewood Park area residents about the remedy and allowing for comments and input. A meeting was held in February, 1983. The community relations plan was updated in 1992 in conjunction with the five-year review to provide for activities related to the review and deletion.

EPA conducted a five-year review of the site in 1992. This review confirmed

the remedy remains protective of human health and the environment. Direct contact exposure is prevented by the cap and groundwater is protected from further degradation by the slurry wall. The monitoring data found no contamination related to the sludge pit in the groundwater exceeding MCLs (maximum contaminant levels for drinking water as established by the Safe Drinking Water Act) or health based standards. The next five-year review is scheduled for April, 1997 or earlier if appropriate.

EPA, with concurrence of the State of Utah, has determined that all appropriate responsible party responses under CERCLA at the Rose Park Sludge Pit Site have been implemented, and that no further cleanup by responsible parties is appropriate at this time.

Dated: September 22, 1992.

Jack W. McGraw,

*Acting Regional Administrator, USEPA
Region VIII.*

[FR Doc. 92-23902 Filed 10-1-92; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 300

[FRL-4515-8]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of intent to delete ARRCOM from the National Priorities List. Request for comments.

SUMMARY: The Environmental Protection Agency (EPA) Region 10 announces its intent to delete the ARRCOM site from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes Appendix B to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986. EPA and the State of Idaho Department of Health and Welfare (IDHW) have determined that the ARRCOM site poses no significant threat to public health or the environment and, therefore, further remedial measures are not appropriate.

DATES: Comments concerning this site may be submitted on or before November 2, 1992.

ADDRESSES: Comments may be mailed to Fran Allans, U.S. EPA Region 10, 422 W. Washington, Boise Idaho 83702.

Comprehensive information on this site is available through the Region 10 Deletion Docket, which is located at EPA's Region 10 office and is available for viewing by appointment only from 9 a.m. to 4 p.m., Monday through Friday, excluding holidays. Appointments for copies of the background information from the Regional public docket should be directed to the EPA Region 10 docket office at the following address: Lynn Williams, United States Environmental Protection Agency, Region 10 Hazardous Waste Division Records Center, 1200 6th Avenue, Seattle, Washington 98101.

The Deletion Docket is also available for viewing at the ARRCOM site information repository at the following location: Rathdrum Library, 1891 Main, Rathdrum, Idaho 83858.

FOR FURTHER INFORMATION CONTACT: Fran Allans, U.S. EPA Region 10, 422 W. Washington, Boise, Idaho 83702, (208) 334-9047.

SUPPLEMENTARY INFORMATION:

- I. Introduction.
- II. NPL Deletion Criteria.
- III. Deletion Procedures.
- IV. Basic of Intended Site Deletion.

I. Introduction

The United States Environmental Protection Agency (EPA) Region 10 announces its intent to delete the ARRCOM site from the National Priorities List (NPL), which constitutes Appendix B of the National Oil and Hazardous Substances Contingency Plan ("NCP"), 40 CFR part 300, and requests comments on this proposed deletion. EPA identifies sites on the NPL that appear to present a significant risk to human health or the environment. EPA may delete a site from the NPL if it determines that no further response is required to protect human health and the environment. As described in § 300.425(e)(3) of the NCP, sites deleted from the NPL remain eligible for Fund-financed remedial actions in the unlikely event that conditions at the site are later found to warrant such actions.

The ARRCOM NPL site is an abandoned waste oil recycling facility located 2.5 miles southwest of the City of Rathdrum, in Kootenai County, Idaho. The property consists of approximately 1.2 acres in the central region of Section 10, Township 51 South, Range 5 West. It is situated in a rural residential neighborhood with an estimated eight residences located within a one-half mile radius to the north, east, and west. One residential property is adjacent to the northern edge of the site. The site is

bounded to the southeast by Highway 53, a Northern Pacific Railroad mainline, and agricultural lands used primarily for growing forage crops. Although there are no surface water bodies on or in the near vicinity of the ARRCOM site, the marshy drainage basin of Lost Creek is located 0.3 mile to the north/northeast. The site is not fenced.

The ARRCOM site is located over the Spokane Valley-Rathdrum Prairie Aquifer, the sole source for public and private drinking water for approximately 350,000 people in Idaho and Washington. Approximately 6,300 of these people live in the primarily rural residential area within three miles of the site.

The site was operated as a waste oil recycling facility from the early 1960s until it was abandoned in 1982. During operation, waste oils were transported by truck to the site, underwent processing, and were sold. Waste oil and recycled oil were stored in 27 tanks and 4 truck tanks. Contamination of the environment occurred as a result of oil spills from the operation and from leaking oil storage tanks. Sludge and waste oils were discarded in at least three disposal pits on the property and were spread on an on-site road.

In August 1982, approximately seven months after the ARRCOM facility was abandoned, EPA conducted a preliminary investigation of the site. During this investigation, a number of oil storage tanks were found to be leaking and in general disrepair. Preliminary sampling of the site indicated the waste oils and soils at the facility were contaminated with high levels of solvents, lead and polychlorinated biphenyls (PCBs), and a potential for groundwater contamination existed. Based on this information, the site was proposed for inclusion on the National Priorities List (NPL) in December 1982 and received a final NPL listing in September 1983.

Because of the exceptionally high levels of contaminants and large volumes of waste oils and sludges, emergency response activities were initiated under EPA's removal program in 1983 to stabilize the site. A three phased removal action was performed at the ARRCOM site in 1983, 1987 and in 1990. The removal actions accomplished the following:

1983: Removal of 9,700 gallons of waste oils from tanks and 137 cubic yards of contaminated soils.

1987: Removal of 13,255 gallons of waste oils and sludges from tanks and disposal pits and 2,000 cubic yards of contaminated soils.

1990: Removal of 1,653 tons of contaminated soils.

During the three phases of the removal action, contaminated soils and sludge disposal pits were excavated to depths ranging from 1 to 20 feet below ground surface at different locations of the site. Soils, waste oils, tanks and buildings were removed and shipped to off-site hazardous waste landfill and incinerator facilities. Surface soil and waste oils were sampled prior to the 1983 removal and before and after the 1987 and 1990 removals.

As part of the 1982 preliminary investigation and the 1987 removal action, residential groundwater wells in the immediate vicinity of the site were sampled. Groundwater monitoring wells were installed at the site in 1987 and samples were collected in 1987, 1989, 1990, and 1992.

In 1991, EPA performed a comprehensive assessment of the site data generated during the preliminary investigation and removal actions and conducted a limited sampling effort to fill important data gaps. This information was used to evaluate the nature and extent of contamination and to assess risks to human health and the environment resulting from contaminants remaining on-site after the removal actions. The data suggest that concentrations of contaminants in soils were significantly reduced during the removals and that low levels of organic and inorganic contaminants remain in the soils below excavated areas at depths ranging from 1 foot to 25 feet below ground surface. Because the frequency of occurrence of the contaminants on a sitewide basis is low, and because the majority of contaminants are located 25 feet below ground surface beneath clean fill, EPA has concluded that the remaining soil contaminants do not pose an unacceptable current or future direct contact risk if left in place.

Samples collected from residential groundwater wells in 1982 and 1987, and the samples from on site monitoring wells collected in 1987, 1989, 1990, and 1992, showed no site-related contaminants of concern in the groundwater. Modelling indicated that only one contaminant of concern, 1,1,2,2-tetrachloroethane, could potentially leach from site soils in the future and eventually reach the groundwater. However, the risk assessment indicated that the potential future groundwater concentration would fall within EPA's acceptable cancer risk range for a future residential land use scenario.

As part of the risk assessment, the potential adverse impacts of soil

contaminants on local plants and animals were qualitatively assessed. Potential receptors and exposure scenarios were evaluated and it was determined that because areas with contaminants remaining on-site are at significant depth beneath clean fill, the ARRCOM site does not pose a risk to ecological receptors or habitats.

Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV explains how the site meets the deletion criteria.

II. NPL Deletion Criteria

The NCP establishes the criteria that the Agency uses to delete sites from the NPL. In accordance with § 300.425(e) of the NCP, 40 CFR 300.425(e), sites may be deleted from the NPL where no further response is appropriate. In making a determination to delete a release from the NPL, EPA shall consider, in consultation with the state, whether any of the following criteria have been met:

(1) Responsible parties or other persons have implemented all appropriate response actions required;

(2) All appropriate Fund-financed response under CERCLA has been implemented, and no further action by responsible parties is appropriate, or

(3) The remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

It is EPA's policy that even if a site is deleted from the NPL, where hazardous substances, pollutants, or contaminants remain at the site above levels that allow for unlimited use and unrestricted exposure, a subsequent review of the site will be conducted at least every five years after the initiation of the remedial action at the site to ensure that the site remains protective of public health and the environment. In the case of ARRCOM, where hazardous substances are not above health based levels and future access does not require restriction, five-year reviews will not be conducted. However, if new information becomes available which indicates a need for further action, EPA may initiate remedial actions. Whenever there is a significant release from a site deleted from the NPL, the site may be restored to the NPL without the application of the Hazard Ranking System.

III. Deletion Procedures

The following procedures were used for the intended deletion of this site: (1) EPA Region 10 issued a Record of Decision dated June 30, 1992, which

found that no remedial action is required at the site because, following a number of removals, it no longer presents a significant threat; (2) IDHW has concurred with the proposed deletion decision; (3) a notice has been published in the local newspapers and has been distributed to appropriate federal, state and local officials and other interested parties announcing the commencement of a 30-day public comment period on EPA's Notice of Intent to Delete, and (4) all relevant documents have been made available in the local site information repositories.

Deletion of the site from the NPL does not itself create, alter, or revoke any individual rights or obligations. The NPL is designed primarily for informational purposes and to assist Agency management. As mentioned in Section II of this Notice, 40 CFR 300.425(e)(3) states that deletion of a site from the NPL does not preclude eligibility for future Fund-financed response actions.

For deletion of this site, EPA's Regional Office will accept and evaluate public comments on EPA's Notice of Intent to Delete before making a final decision to delete. The Agency will prepare a Responsiveness Summary if significant public comments are offered.

A deletion occurs when the Regional Administrator places a final notice in the **Federal Register**. Generally, the NPL will reflect deletions in the final update following the Notice. Public notices and copies of the Responsiveness Summary will be made available to local residents by the Regional office.

IV. Basis for Intended Site Deletion

Based on the results of the comprehensive assessment of the removal data, and the supplemental sampling and risk assessment, EPA determined that the ARRCOM site does not pose a significant threat to public health or the environment. In the Proposed Plan, issued for the site on May 22, 1992, EPA recommended that no remedial action be taken. The State of Idaho concurred with this recommendation.

CERCLA requirements under Sections 113(k)(2)(B)(i-v) and 117, 42 U.S.C. 9613 and 9617 for public participation include releasing the risk assessment report and the Proposed Plan to the public and providing a public comment period to allow for public participation in the decision-making process. EPA met these requirements by releasing these documents to the public in May 1992. These documents were made available by placing them in the information repository in the Rathdrum Public Library and EPA office in Seattle. Notice of a 30 day public comment period on

the Proposed Plan was placed in the Statesman Review newspaper. No comments were received during the 30 day public comment period and on June 30, 1992, EPA issued a No Further Action Record of Decision for the ARRCOM site. The no further action decision does not result in hazardous substances, pollutants, or contaminants remaining at the site above health based levels. Accordingly, EPA will not conduct "five-year reviews" at this site.

As previously stated, one of the three criteria for deletion specifies that EPA may delete a site from the NPL if the "remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate." EPA, with concurrence of IDHW, believes that this criterion for deletion has been met based on the results of the comprehensive assessment of the removal data, and the supplemental sampling and risk assessment. Therefore, EPA is proposing deletion of the ARRCOM site from the NPL. Documents supporting these actions are available at the designated information repositories.

Dated: September 15, 1992.

Dana Rasmussen,

Regional Administrator, Region 10.

[FR Doc. 92-23903 Filed 10-1-92; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 92-217, RM-8069]

Radio Broadcasting Services; Camden, East Camden and Stamps, AR; Minden, LA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed on behalf of Y95 Radio, Inc., licensee of Station KCXY(FM), Channel 237A, Camden, Arkansas, seeking the reallocation of Channel 237A to East Camden, AR, as a Class C1 channel and modification of its license accordingly. Petitioner also requests the substitution of Channel 282A for Channel 238A at Stamps, AR, a vacant allotment for which an application is pending; and the substitution of Channel 239A for Channel 237A at Minden, LA, and modification of the license of Cook Enterprises, Inc. ("Cook") for Station KASO-FM. An Order to Show Cause

must be issued to Cook since it has not agreed to the proposed substitution at Minden. Coordinates for Channel 237C1 at East Camden, AR, are 33-30-14 and 92-48-38; for Channel 282A at Stamps, AR, 33-23-20 and 93-37-38; and for Channel 239A at Minden, LA, 32-37-50 and 92-16-56. See **SUPPLEMENTARY INFORMATION, infra**.

DATES: Comments must be filed on or before November 19, 1992, and reply comments on or before December 4, 1992.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Mark E. Fields, Esq. Law Office of Mark E. Fields, 1825 I Street, NW., Suite 400, Washington, DC 20006.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commissioner's Notice of Proposed Rule Making, MM Docket No. 92-217, adopted September 1, 1992, and released September 28, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, Downtown Copy Center, (202) 452-1422, 1990 M St., NW., suite 640, Washington, DC 20036.

Petitioner's modification proposal complies with the provisions of §§ 1.420 (g) and (i) of the Commission's Rules. Therefore, we will not accept competing expressions of interest in the use of Channel 237C1 at East Camden, or require the petitioner to demonstrate the availability of an additional equivalent class channel.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.